

[illegible]

44. 2

Defendants.

Section 5, Rio Gallina

Vickie L. Gaber

7015

Mary E. Humphrey
Attorney at Law

P. O. Box 1574
El Prado, NM 87529

Tel. (505) 758-2203
Fax. 505) 758-5129

February 22, 2003

Special Master Vickie L. Gabin
United States District Court
P. O. Box 2384
Santa Fe, NM 87504-2384

RE: State of New Mexico ex rel State Engineer v. Aragon, et. al., No. CV-7941 JC
Rio Chama Stream System: Section 5, Rio Gallina

Dear Special Master Gabin:

In response to your letter of February 18, 2003, I have enclosed the following documents:

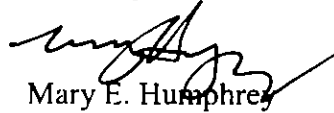
1. Minutes from 12/29/02 meeting of the Gallina/Capulin Acequia Association. The minutes reflect the Association's waiver of conflict of interest between the association and the individual parciantes involved in the disputed subfile hearings.
2. Waiver of Conflict of Interest by the Placitas Ditch to allow representation of Faye Davis. Please note that Ms. Davis is a one of the commissioners of the Placitas Ditch. She did not vote concerning this waiver.
3. Waiver of Conflict of Interest by the Placitas Ditch to allow representation of Jose Zebedeo Chacon.
4. Waiver of Conflict of Interest by the Maestas-Sanchez Ditch to allow representation of Abram Cordova. Please note that Abram Cordova is one of the commissioners, and that he did not sign the waiver.
5. Waiver of Conflict of Interest by the Maestas-Sanchez Ditch to allow representation of Faye Davis. Please note that Ms. Davis is one of the commissioners and that she did not sign the waiver.
6. Waiver of Conflict of Interest by the Cordova-Martinez Ditch to allow representation of Juan C. & Patsy Chavez and Jose & Piedad Chavez. Please note that the Cordova-Martinez Ditch does not have an elected three person commission at this time. The waiver was signed by six of the eleven shareholders in the ditch. Mr. Juan Chavez did not sign the waiver.

February 22, 2003
Special Master Vickie L. Gabin, page 2

These waivers are in addition to the Waivers of Conflict of Interest that the nine individual acequias signed when I entered an appearance on their behalf in February 2000. Those initial waivers waived possible conflicts between the individual acequias, should any arise, in the overall context of the adjudication. I will be ready to discuss these and other issues concerning my representation during the priority and duty phase the next time we meet.

Please contact me if you have any questions. Thank you.

Sincerely,



Mary E. Humphrey

xc: Ed Newville
Gallina-Capulin Acequia Association

GALLINA/CAPULIN ACEQUIA ASSOCIATION
MEETING MINUTES
DECEMBER 29, 2002

Meeting called to order at 2:15pm by Jeff Vigil, President

Roll call done by Juan Chavez. Board members present were Jeff Vigil, Frank Chacon, Abe Cordova, Dennis Suazo and Juan Chavez. Board members absent were Joe Chacon, Cosme S. Chacon, Vivian Suazo and Steve Velasquez. Juan Chavez stated we have a quorum and meeting continued.

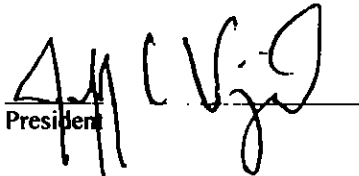
Meeting continued with discussion on adjudication progress, process. Mary Humphrey attorney for Association informed association that there are five subfiles going to hearing beginning in January 2003. Mary Humphrey also reported the board that there will be a Pre-hearing conference at the Gallina High School Board Room on January 03, 2003 at 10:00am. Everyone was encouraged to attend.

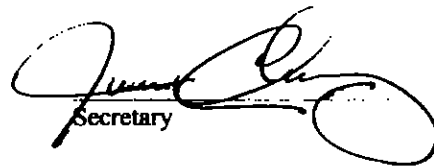
Motion made by Frank Chacon to waive any conflict of interest and authorize Mary Humphrey, Attorney for Association, to enter an appearance and represent individual parciantes in disputed subfile proceedings, on condition that individual acequias waive any conflict of interest, second by Abe Cordova, all in favor, motion passed.

Association is currently working on closing 2001/2002 grant from NMDA. Discussion followed on contracts for the 2002/2003 grant. Motion made by Frank Chacon to enter into a new contract with Mary Humphrey from 2002/2003 funding appropriation, second by Dennis Suazo, all in favor, motion passed.

Motion made by Frank Chacon that we raise mileage allowance as per State Guidelines - from \$.25 to \$.36 per mile, second by Abe Cordova, all in favor, motion passed.

Motion made by Juan Chavez to adjourn at 3:30 p.m., second by Frank Chacon, all in favor, motion passed.


President


Secretary

WAIVER OF CONFLICT OF INTEREST

This Acequia, the Placitas Ditch, is a member of the Gallina-Capulín Acequia Association. The Association and this acequia have retained Mary E. Humphrey as its attorney in the lawsuit, State of New Mexico ex rel. Reynolds v. Aragon, et al. U.S. District Court No. CV-7941 JC, Section 5 adjudicating the water rights in the Rio Gallina basin of the Rio Chama Basin. One phase of the adjudication suit is the adjudication of water rights specific to individual tracts of land that receive water from the Rio Gallina. The Placitas Ditch recognizes water rights for certain individual tracts that are being disputed by the Office of the State Engineer. Because of the nature of the dispute in question regarding the water rights appurtenant to lands owned by Faye Davis, identified as Sub-file Nos. 3-003A, 3-003B, 3-003C, 3-003D, 3-004A, 3-004B and 3-005 has far reaching implications, the acequia does not object to its attorney's representation of the individual subfile owner, Faye Davis, in proceedings concerning the disputed subfiles. The acequia, through its authorized representatives, agrees to this waiver of conflict of interest to allow its attorney to represent the individual subfile owner in proceedings conducted by the United States District Court.

Commissioners or authorized representatives of the Placitas Ditch:

<u>Eddie Garcia</u>	<u>Eddie Garcia</u>	<u>1-2-03</u>
Name	Signature	Date

<u>Faye Davis — did not vote</u>		
Name	Signature	Date

<u>Jose L. Chacon</u>	<u>Jose L. Chacon</u>	<u>1-2-03</u>
Name	Signature	Date

WAIVER OF CONFLICT OF INTEREST

This Acequia, the Placitas Ditch, is a member of the Gallina-Capulin Acequia Association. The Association and this acequia have retained Mary E. Humphrey as its attorney in the lawsuit, State of New Mexico ex rel. Reynolds v. Aragon et al. U.S. District Court No. CV-7941 JC, Section 5 adjudicating the water rights in the Rio Gallina basin of the Rio Chama Basin. One phase of the adjudication suit is the adjudication of water rights specific to individual tracts of land that receive water from the Rio Gallina. The Placitas Ditch recognizes water rights for certain individual tracts that are being disputed by the Office of the State Engineer. Because of the nature of the dispute in question regarding the water rights appurtenant to lands owned by Jose Z. Chacon, identified as Sub-file Nos. 3-0019 has far reaching implications, the acequia does not object to its attorney's representation of the individual subfile owner, Jose Z. Chacon, in proceedings concerning the disputed subfiles. The acequia, through its authorized representatives, agrees to this waiver of conflict of interest to allow its attorney to represent the individual subfile owner in proceedings conducted by the United States District Court.

Commissioners or authorized representatives of the Placitas Ditch:

<u>FAYE DAVIS</u>	<u>Faye Davis</u>	<u>12/3/02</u>
Name	Signature	Date
<u>Eddie Garcia</u>	<u>Eddie Garcia</u>	<u>1-2-03</u>
Name	Signature	Date
<u>Jose L. Chacon</u>	<u>Jose L. Chacon</u>	<u>1-2-03</u>
Name	Signature	Date

WAIVER OF CONFLICT OF INTEREST

This Acequia, the Maestas-Sanchez Ditch, is a member of the Gallina-Capulin Acequia Association. The Association and this acequia have retained Mary E. Humphrey as its attorney in the lawsuit, State of New Mexico ex rel. Reynolds v. Aragon, et al. U.S. District Court No. CV-7941 JC, Section 5 adjudicating the water rights in the Rio Gallina-Rio Capulin basin of the Rio Chama Basin. One phase of the adjudication suit is the adjudication of water rights specific to individual tracts of land that receive water from the Rio Capulin. The Maestas-Sanchez Ditch recognizes water rights for certain individual tracts that are being disputed by the Office of the State Engineer. Because of the nature of the dispute in question regarding the water rights appurtenant to lands owned by Abram Cordova, identified as Sub-file Nos. 4-004 has far reaching implications, the acequia does not object to its attorney's representation of the individual subfile owner in proceedings concerning the disputed subfiles. The acequia, through its authorized representatives, agrees to this waiver of conflict of interest to allow its attorney to represent the individual subfile owner in proceedings conducted by the United States District Court.

Commissioners or authorized representatives of the Maestas-Sanchez Ditch:

<u>Jeff CVigil</u>	<u>[Signature]</u>	<u>12/31/02</u>
Name	Signature	Date
<u>Faye Davis</u>	<u>[Signature]</u>	<u>12/17/02</u>
Name	Signature	Date
<u> </u>	<u> </u>	<u> </u>
Name	Signature	Date

WAIVER OF CONFLICT OF INTEREST

This Acequia, the Maestas-Sanchez Ditch, is a member of the Gallina-Capulin Acequia Association. The Association and this acequia have retained Mary E. Humphrey as its attorney in the lawsuit, State of New Mexico ex rel. Reynolds v. Aragon, et al. U.S. District Court No. CV-7941 JC, Section 5 adjudicating the water rights in the Rio Gallina-Rio Capulin basin of the Rio Chama Basin. One phase of the adjudication suit is the adjudication of water rights specific to individual tracts of land that receive water from the Rio Capulin. The Maestas-Sanchez Ditch recognizes water rights for certain individual tracts that are being disputed by the Office of the State Engineer. Because of the nature of the dispute in question regarding the water rights appurtenant to lands owned by Faye Davis, identified as Sub-file Nos. 4-003 has far reaching implications, the acequia does not object to its attorney's representation of the individual subfile owner in proceedings concerning the disputed subfiles. The acequia, through its authorized representatives, agrees to this waiver of conflict of interest to allow its attorney to represent the individual subfile owner in proceedings conducted by the United States District Court.

Commissioners or authorized representatives of the Maestas-Sanchez Ditch:

JEFF C VIGIL [Signature] 12/31/02
 Name Signature Date

Adam Carls [Signature] 12/31/02
 Name Signature Date

 Name Signature Date

WAIVER OF CONFLICT OF INTEREST

This Acequia, the Cordova-Martinez Ditch, is a member of the Gallina-Capulin Acequia Association. The Association and this acequia have retained Mary E. Humphrey as its attorney in the lawsuit, State of New Mexico ex rel. Reynolds v. Aragon, et al., U.S. District Court No. CV-7941 JC. Section 5 adjudicating the water rights in the Rio Capulin-Rio Gallina basin of the Rio Chama Basin. One phase of the adjudication suit is the adjudication of water rights specific to individual tracts of land that receive water from the Rio Capulin. The Cordova-Martinez Ditch recognizes water rights for certain individual tracts that are being disputed by the Office of the State Engineer. Because of the nature of the dispute in question regarding the water rights appurtenant to lands owned by Juan C. & Patsy Chavez and Jose & Piedad Chavez, identified as Sub-file Nos. 3-007 has far reaching implications, the acequia does not object to its attorney's representation of the individual subfile owners in proceedings concerning the disputed subfiles. The acequia, through its authorized representatives, agrees to this waiver of conflict of interest to allow its attorney to represent the individual subfile owner in proceedings conducted by the United States District Court.

Commissioners or authorized representatives of the Cordova-Martinez Ditch:

Gabriel Maestas Jr.	Gabriel Maestas Jr.	1-2/03
Name	Signature	Date
STEVE VERGUEZ	[Signature]	1-2-03
Name	Signature	Date
Antonio Secano	Antonio Secano	1-2-03 - DOS DERECHOS
Name	Signature	Date
ABRAM CORDOVA	Abram Cordova	2-2-03
Name	Signature	Date
David Chavez	David Chavez	01-03-03
Name	Signature	Date
ROGELIO CORRALES	Rogelio Corrales	1/3/03 - DOS DERECHOS
Name	Signature	Date
Name	Signature	Date
Name	Signature	Date